

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ news release

For Release to PM's, JANUARY 17, 1963

If the United States and Canadian Commissioners were to insist upon Japanese abstention from halibut fishing in the Bering Sea--based upon inadequate scientific

evidence--the very principle of abstention might be placed in jeopardy, the Secretary said. If that happened it could have grave effects on the United States fishing industry in the future, he added.

"It is our objective to see that the (treaty) situation continues to be favorable to the American fishermen, and we see continuation of the Convention as a means to that end," Secretary Udall said.

The Secretary noted that the Commission will meet in Tokyo, Japan, in February. At that time the conservation measures for the eastern Bering Sea will be thoroughly reviewed. "I am hopeful that the resultant agreement will still allow a continued expansion of the United States fishery in this area," Secretary Udall said.

The halibut catch by United States and Canadian fishermen in the Bering Sea has increased from some 267,000 pounds in 1956 to more than 7 million pounds in 1962. There is evidence that new concentrations of halibut have been found recently as the fleet has expanded, Secretary Udall said.

Secretary Udall noted that the Commissioners were assisted in their discussions on this matter by high-level industry and government representatives in their deliberations on the halibut question.

The text of the Secretary's letter is attached.

x x x

UNITED STATES
DEPARTMENT OF THE INTERIOR
Office of the Secretary
Washington 25, D. C.

Dear Governor Egan:

President Kennedy has requested that I supply a further answer to your letter of December 21 in which you support your criticism of recent action on the International North Pacific Fisheries Commission with detailed quotations and facts. I have looked into this matter in some detail. I find the problem both complicated and serious.

It is true that, if the President approves the recommendation which the International North Pacific Fisheries Commission made at its 1962 annual meeting, the Japanese may develop a halibut fishery in competition with our own fishery in the eastern Bering Sea. We have no idea yet of the kind or size of this fishery.

As you know, there will be a meeting of the Commission in Tokyo this coming February, and at that time the conservation measures for the eastern Bering Sea halibut will be thoroughly reviewed. The primary purpose of this meeting will be to develop a conservation program which will assure the maximum productivity of the halibut resources of the eastern Bering Sea in view of the expected entry of the Japanese into this fishery. At the same time I am hopeful that the resultant agreement will still allow a continued expansion of the United States fishery in this area.

On reviewing the action of the North Pacific Commission, I do not find that this decision was arrived at in either a hasty or a haphazard fashion. It is perfectly obvious from the record that the U.S. and Canadian Governments have requested the Halibut Commission over the past 6 or 7 years to prepare for presentation to the International North Pacific Fisheries Commission scientific evidence regarding the extent of the utilization of the halibut stocks of the eastern Bering Sea. It is also evident that there has been close cooperation between scientists of the Halibut Commission and scientists of the Governments of Canada and the United States.

Recently the Halibut Commission prepared a draft report of their investigations in the Bering Sea. This document, which has been studied thoroughly by the scientists of both Governments, has clearly shown the gaps in our knowledge of the eastern Bering Sea halibut resources. This in no way should be taken as critical of the Halibut Commission. With limited funds, they have extended their investigations

into the Bering Sea in about the same proportion to the extent of our fishery in that area. This report makes the statement quoted in your letter to the effect that tagging experiments in the Bering Sea have demonstrated a high degree of utilization of halibut found in the area where the U.S. and Canadian fleets concentrate and, further, that some of the Commission's first or preliminary quantitative estimates of fishing mortality give rates higher than those found in other sections of the coast. The report further states: ". . . although this does not prove that these grounds are being fully utilized, it leaves little doubt that the level of utilization is high. Furthermore, no evidence is even available to suggest that a greater yield could be taken from the region year after year." Unfortunately, these conclusions apply only to the halibut concentrations where fishing up to now has been concentrated. New concentrations have been found recently as the fleet has expanded its area of fishing.

Evidence that the catch in the Bering Sea by the Canadian and United States fishery is increasing is contained in the following table which gives the total Canadian and United States catches in the Bering Sea from 1956 to 1962.

Halibut Catches of the U.S. and Canadian Fisheries Fishing
in Bering Sea 1956 through 1962

1956	267,000 lbs.
1957	47,000
1958	2,180,000
1959	4,113,000
1960	5,688,000
1961	3,949,000
1962	7,289,000

It is obvious to me that the Bering Sea halibut stocks have only recently been extensively fished by Canadian and United States fishermen, and the fishery is still expanding. The catch in 1962 was the greatest on record and over 25 times that of 1956.

You have indicated in your letter that because of the statements of the Halibut Commission to the effect that utilization of the concentrations of halibut now being fished is high, and that there seems to be a relationship between the stocks in the Bering Sea and those south and east of the Alaska Peninsula, the action of the International North Pacific Fisheries Commission was beyond understanding. I would refer you to the International North Pacific Fisheries Convention itself.

Article III of this Convention requires that after 5 years the Commission study annually whether or not stocks under abstention continue to qualify under the provisions of Article IV of the Convention. Article III goes on to state that if the Commission determines that

a stock does not reasonably meet the provisions of Article IV, then the Commission shall recommend that it be removed from the Annex. Article IV of the Convention requires that for any stock of fish to qualify for abstention, the Commission must find that : "(1) evidence based upon scientific research indicates that more intensive exploitation of the stock will not provide a substantial increase in yield which can be sustained year after year." As I interpret this section of the Convention, there is no latitude left to the Commission if the United States and Canada cannot show that more intensive fishing will not substantially increase the sustainable yield. The record of the fishery during the past several years has clearly demonstrated that the yield has increased with increased fishing.

There are two other criteria, but in the present instance the United States and Canada, with the help of the Halibut Commission and in spite of its long and serious study of the problem, are unable to provide evidence that more intensive exploitation of the stock will not provide a substantial increase which can be sustained year after year. Thus, if we were to live up to our commitments under the Convention, the only course left, in the face of the record, was to recognize that this proof was not available for Bering Sea halibut and, therefore, that these halibut no longer qualify for abstention. It seems to me that the protection given the North Pacific salmon and halibut fisheries under the present Convention is adequate evidence that this Convention has operated in such a manner as to provide for the conservation of these resources and for the preservation of our own valuable fisheries.

With respect to the Commission's action concerning herring off the west coast of Queen Charlotte Island of British Columbia, the Canadian Section of the Commission again was called upon to prove that these stocks were being fully utilized. Since at the present time, for all practical purposes, there is no Canadian fishery on these particular stocks, it could not be proved. Therefore, again the only action possible that could be taken under the present Convention was to recommend to the signatory governments that these stocks be removed from the abstention list.

It had not occurred to me that the Commission was, in fact, benevolent. On the contrary, it seemed only to be doing what was required. At the same time it must be remembered that, for all practical purposes, the Convention has resulted in almost complete protection of halibut and salmon of the eastern North Pacific Ocean. There remains, of course, the special problem of the sockeye salmon of the Bering Sea. Thus, it appears to me that the results brought about by the present Convention have been very advantageous to American fishermen. It is our objective to see that the situation continues to be favorable to the American fishermen, and we see continuation of the Convention as a means to that end. If the United States is to have it continue, we

must abide by its terms. If both you and I do not like some of the terms of the Convention then we should seek to have these altered in various ways more suitable to us. I do not believe, however, that we can criticize the Commission for carrying out the clear mandate which the Convention places on it.

One must remember that this Convention is a very stringent one with respect to the nations involved. On one hand, Japan is prevented from fishing freely on the high seas by virtue of the fact that Japan is obligated to observe abstention with respect to salmon and halibut in the eastern North Pacific Ocean. The Convention limits this severe restriction on the Japanese by imposing demanding scientific criteria on the nations requesting abstention. These limitations are intended to prevent arbitrary and capricious actions which affect the right of nations to fish on the high seas beyond the territorial limits of coastal countries.

After reviewing thoroughly the results of the 1962 meeting and the courses of action open to the Commission under the terms of this treaty, I find nothing irresponsible or haphazard about the action of the Commission. It seems to me that if the United States does not carry out its obligations under the terms of the treaty, the future of our North Pacific fisheries is in jeopardy. As a minimum loss we will share these resources which traditionally have been fished exclusively by Canadian and U.S. fishermen. The resources might well be overfished and depleted by the unregulated fishing of several nations, leaving the halibut stocks in the same pitiable condition they were in before the present Halibut Convention.

I choose to align myself on the side of honoring our international commitment, and protecting the sound principle of abstention. This principle provides for the conservation of the fishery resources of the North Pacific Ocean and allows our fishermen to continue to harvest a major share of these resources on the basis that they have conserved them at great cost and sacrifice and have maintained them at a very high level of productivity for over the past 50 years.

If the U.S. Government fails to accept the recommendations of the Commission, we may very quickly find ourselves with no protection whatsoever for the valuable resources now almost fully reserved for the use of the fishermen of the United States and Canada.

Sincerely yours,

(Sgd) Stewart L. Udall
Secretary of the Interior

Honorable William A. Egan
Governor of Alaska
Juneau, Alaska